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REMARKS

Claims 1-4, 6-15, 17-29 and 31-38 are pending in the present Application. Claims 1 and 14 have been amended, thereby leaving Claims 1-4, 6-15, 17-29 and 31-38 for consideration upon entry of the present Amendment. It is believed that the amendments place the application in better condition for allowance. Reconsideration and allowance of the claims is respectfully requested in view of the following remarks.

Amended Claim

Claims 1 and 14 have been amended to better define the invention. Support for the amendment may be found at least on page 14, line 25 of the specification. No new matter has been introduced as a result of this amendment.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1 – 4, 6 – 15 and 17 – 20 are rejected under 35 U.S.C. § 102(e), as allegedly being anticipated by U.S. Patent No. 6,566,461 to Freitag et al. ("Freitag"). (Office Action dated 08/27/03, page 2) Applicants respectfully traverse this rejection.

In making the rejection, the Examiner has stated that

Regarding Claims 1, 6, 7, 14, 17 and 18, Freitag et al. teach an apparatus comprising: a reaction substrate (reactor block 100) comprising at least one substrate reservoir (wells 104) further comprising removable reactor vessels 102, wherein the reaction substrate has a first temperature; and a head plate (plate 300 or header block 200) positioned to provide a sealed pressurized headspace (single transfer line 302 or single header barrel 202) adjacent the substrate reservoir, wherein the head plate has a second temperature (see Col. 5, lines 13 - 67; Col. 6, lines 1 - 67; Col. 7, lines 1 - 67 & Col. 8, lines 1 - 67; Figures 3 & 7).

(Office Action dated 08/27/03, page 2)

The application as presently amended is directed to and claims an apparatus for the rapid screening of potential reactants, catalysts or reaction conditions, the apparatus comprising a reaction substrate comprising a plurality of substrate reservoirs, said reaction substrate having a first temperature; and a head plate positioned to provide a common sealed pressurized headspace

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adjacent to said substrate reservoirs, said head plate having a second temperature and said sealed pressurized headspace having an adjustable pressure in a range of between about 1 atmosphere and about 50 atmosphere, wherein a reaction occurs within each substrate reservoir, and wherein said apparatus is structurally capable of being operated at temperatures up to at least about 200°C and at pressures from about 10 atmosphere up to at least about 50 atmosphere. (Claim 1)

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988).

Freitag teaches a method and apparatus for reacting a plurality of different mixtures in parallel, in a semi-batch or continuous mode. (see Abstract) Freitag teaches a system wherein all the reactor vessels are not in fluid communication with a common headspace present within the system as is presently claimed. (see Figure 1 of the present application) In order for the reactor vessels of Freitag to be in fluid communication with a common atmosphere, they must be placed in a separate chamber. (see Figure 19) The headspace as taught by Freitag exists individually within each reaction vessel. (see Figure 3 and 7 in Freitag; also see Col. 5, lines 27 - 29) As may be seen in the Figures 3 and 7 (of Freitag), Freitag further teaches that each reaction vessel communicates with a single header barrel via a single transfer line, so that each header barrel is sealed to the outside except for the transfer line. (see Col. 5, lines 33 - 38) Thus quite clearly, Freitag does not suggest nor teach an apparatus wherein the plurality of substrate reservoirs are adjacent to a common sealed headspace and in fluid communication with the headspace as is presently claimed. For this reason at least, Freitag cannot anticipate the present invention, and the Applicants respectfully request a withdrawal of the 102 (e) rejection over Freitag.

Further in the Advisory Action received on November 20, 2003, the Examiner stated that “[t]he claims as amended in the amendment filed on October 27, 2003, did not positively recite that the apparatus comprises a plurality of substrate reservoirs exclusively in fluid communication with a common or single sealed headspace.” Claims 1 and 14 have now been amended to claim a common headspace in fluid communication with the plurality of reservoirs.

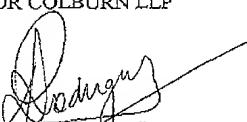
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It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested.

If there are any additional charges with respect to this amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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